



Alpine Gems, LLC

2686 N. 775 W.

Cedar City, Utah 84721

(435) 586-0174

RECEIVED

MAR 31 2015

DIV. OF OIL, GAS & MINING

March 28, 2015

Lynn Kunzler
State of Utah
Division of Natural Resources/Oil/Gas/Mining
1594 West North Temple
Salt Lake City, Utah 84114

Subject: Citation #MC-2015-17-01 Alpine Gems & Minerals

Dear Mr. Kunzler,

Attached please find our updated Notice of Intent as requested (before March 31, 2015), which is item #3 on the list of abatement/corrective actions for the subject citation. Note that we have already provided the annual permit fees totaling \$600 (item #1), and annual mining reports for years 2011, 2012, 2013 and 2014 (item #2), before the March 9, 2015 deadline for these two items.

We have included the following items with this letter, and have also sent an advance electronic copy/email of these items on 3/28/15:

1. Revised NOI as requested, the general location map and operations map. We have also sent via email an updated google earth kmz file for your use, the only changes are some additional folders at the bottom, to identify existing access roads, new access road, and location of our locked gates.
2. Transfer forms from Alpine Gems & Minerals/ArJean Lamoreaux to Alpine Gems LLC, for both Big Dry Valley Quarry which is our current mining operation, as well as Butler Valley Quarries which we have already reclaimed. There is a small amount of surety still pending on Butler Valley, until we reach 70% vegetation, there is no other work to do but wait and check up on the revegetation process.
3. Check included for the \$150 permit fee for the updated/revised NOI.

That should do it for item #3 on the citation, if you need anything further or have questions, please give me a call at 435.701.1875.

Sincerely,

Ben Lamoreaux
Member Manager
Alpine Gems LLC

Assigned DOGM File No.: S/0

DOGM Lead: _____

Permit Fee \$ _____ Ck# _____

**STATE OF UTAH
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING**

1594 West North Temple Suite 1210

Box 145801

Salt Lake City, Utah 84114-5801

Telephone: (801) 538-5291 Fax: (801) 359-3940

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NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The information requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program (R647). The rules and Act are available online at <http://www.rules.utah.gov/publicat/code/r647/r647.htm> and http://le.utah.gov/~code/TITLE40/40_08.htm.

Cultural Resources Survey: To fulfill its obligations under Utah Code Annotated 9-8-404, the Division needs cultural resource (archaeology) information. The amount and type of information required will depend on the mine location, the history of previous disturbance, and other factors. Please contact the Division for further information.

A permit fee of \$150 must accompany this application (Utah Code Ann. §40-8-7(1)(i)) and is due annually.

"Small Mining Operations" are operations which have a disturbed area of ten or fewer surface acres at any time in unincorporated areas, or five acres or fewer in incorporated areas.

I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Mine: Big Dry Valley (UPDATED/REVISED NOTICE OF INTENT) _____

2.A. Name of Entity Applying for a Permit: Alpine Gems LLC _____

Contact (Authorized Officer): Ben Lamoreaux _____

Mailing Address: 2686 N. 775 W. _____

City, State, Zip: Cedar City, Utah 84721 _____

Phone: 435-586-0174 _____ Fax: 435-865-1848 _____

E-mail Address: blamoreaux@laeng.com _____

Entity is a: () Corporation, (☒) LLC, () Sole Proprietorship (dba), () Individual, () Partnership (☐ General, or ☐ limited), () Other (specify type) _____

Business Entity (not individuals) must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) If not currently registered, contact www.commerce.utah.gov to renew or apply.

2.B. Are you currently registered to do business in the State of Utah? (☒) Yes () No

Business Entity #: 7341684-0160 _____

Local Business License #: 1100-BL _____ (if required)

Issued by: County: _____ or City: Parowan _____

Registered Utah Agent (as identified with the Utah DOC) (if individual leave blank):

Name: _____ Title: _____

Address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-mail Address: _____

2.C. Entity's Representative(s) (if different from #2A) authorized and designated to receive notices of violation, cessation orders, and all other notices to be given to the permittee or operator by the Division.

Name: _____ Title: _____
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
Emergency, Weekend, or Holiday Phone: _____
E-mail Address: _____

Name: _____ Title: _____
Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
Emergency, Weekend, or Holiday Phone: _____
E-mail Address: _____

3. If Business is a Sole Proprietor (dba) or Individual:

Name of Owner: _____ Title: _____
Business Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail Address: _____

If Business is a Corporation:

Name of Officers: _____ Title: _____
Name: _____ Title: _____
Name: _____ Title: _____
Name: _____ Title: _____
Headquarters Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail Address: _____

If Business is a Limited Liability Company: Member Managed (☒) Manager Managed (☐)

Name of 1st Member/Manager: Ben Lamoreaux _____ Title: LLC Member Manager
Business Address: 2686 N. 775 W. _____
City, State, Zip: Cedar City, Utah 84721 _____
Phone: 434-586-0174 _____ Fax: 435-865-1848 _____
E-mail Address: blamoreaux@laeng.com _____

Name of 2nd Member/Manager: Laurie Perry _____ Title: LLC Member Manager
Business Address: 2686 N. 775 W. _____
City, State, Zip: Cedar City, Utah 84721 _____
Phone: 435-586-0174 _____ Fax: 435-865-1848 _____
E-mail Address: lightplanter@gmail.com _____

If Business is a Partnership:

Names of Partners: _____
Business Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail Address: _____

If Business is a Partnership:

Names of Partners: _____
Business Address: _____
City, State, Zip: _____
Phone: _____ Fax: _____
E-mail Address: _____

5. **Ownership of Land Surface:**

Private (Fee) () BLM (X) US Forest Service ()
 State Trust Land/School Sections () State Sovereign Lands ()
 Other (please describe): _____

Name _____ Address _____
 Name _____ Address _____
 Name _____ Address _____
 Name _____ Address _____

6. **Ownership of Minerals:**

Private (Fee) () BLM (X) US Forest Service ()
 State Trust Land/School Sections () State Sovereign Lands ()
 Other (please describe): _____

Name _____ Address _____
 Name _____ Address _____
 Name _____ Address _____
 Name _____ Address _____

BLM Claim Number(s): 405862, 405863, 405864, 405865, 405866 _____
 Utah State Lease Number(s): _____
 BLM/USFS Lease or Project File Number(s): _____

Name of Lessee(s): _____

7. **Have the above surface and mineral owners been notified in writing?** Yes X No _____
 If no, why not? _____

8. **Does the Entity have legal right to enter** and conduct mining operations on the land covered by this notice? Yes X No _____

What is the pre-mining land use, i.e. cropland, grazing, wildlife habitat? _____

The Dry Valley mining sites are located in an area that has been mined for over 20 years by various individuals. The Dry Valley area ranges from 6000 to 6300 feet in elevation above sea level. Pinon-juniper and upland steppe sage grasslands dominate the local vegetation. The current land uses are wildlife forage, cattle grazing, and recreation. The Dry Valley area experiences a semi-arid climate and receives approximately 10.5 inches of precipitation annually. Temperatures in the area range from an average low in the winter of 30 degrees to an average high in the summer of 95 degrees. _____

What is the postmining land use? _____ wildlife forage, cattle grazing, and recreation _____

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

II. **PROJECT LOCATION & MAP** (Rule R647-3-105)

1. **Project Location & Map** (legal description):

County(ies): Kane _____
 _____ 1/4, of _____ 1/4, of SE 1/4, Section: 17 _____ Township: 38S _____ Range: 1W _____

____ 1/4, of ____ S 1/2, of SW 1/4, Section: 17 Township: 38S Range: 1W
 ____ 1/4, of ____ 1/4, of NW 1/4, Section: 20 Township: 38S Range: 1W
 ____ 1/4, of ____ 1/4, of NE 1/4, Section: 20 Township: 38S Range: 1W

UTM East: 418696____ (if known) UTM North: 4150243____ (If known)

Name of Quad Map for Location: Slickrock Bench_____

2. **Is the project within an incorporated area?** () Yes (X) No
 If yes, what is the town or city? _____
3. **Location and Operations maps** must be plotted at a scale to accurately identify locational landmarks and operations details. All maps must include a north arrow, scale, appropriate labels, and title box including the mine name, township, range and section.
 - a. The **general location map** must be the scale of a USGS 7.5 minute series map or equivalent (1"=2000') and identify new or existing access roads.
 - b. The **operations map** (1"=200' or other scale as determined necessary by the Division) must be labeled and identify:
 - i. The area to be disturbed;
 - ii. The location of any existing or proposed operations including access roads, drill holes, trenches, pits, shafts, cuts, or other planned activities; and
 - iii. Any adjacent previous disturbance for which the operator is not responsible.
 (Contact the Division for a list of consultants and land surveyors for mapping assistance.)
4. The proposed (5 acre or less) disturbed area (including access/haul roads) should be marked ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN** (Rule R647-3-106)

1. **Type of mining:** Surface (X) Underground ()
2. **Mineral(s) to be mined:** Alabaster Gypsum_____
3. **Amount of material** to be extracted, moved, or proposed to be moved: **15,000 cu yd**_____
4. Will any **water, liquid chemicals, reagents, or other solutions** be used, produced or discharged as part of the mining or milling process? Yes () No (X) If yes, please describe (add extra pages if needed): _____
5. Provide a brief **description of the proposed mining operation**, and onsite processing facilities (add extra pages if necessary). _____

The proposed mining operations are the same as for the prior Notice of Intent, except for equipment to be utilized.

The purpose of mining is to extract commercial quantities of alabaster for wholesale and retail markets for professional sculptors, carvers, and apprentices. The Jedai sites contain 4 varieties of excellent quality alabaster: Silver Cloud, Translucent Orange, Pink, and Sunshine yellow, and a large wholesale/retail market has been established for these varieties. The mining described in this plan is a continuation of that already accomplished in the previous plan of operations. The productive horizons are known and are exposed along steep canyon walls. Access roads have been established along the base and into the steep

canyons. The alabaster is extracted by blasting vertical exposures and manually moving the blocks down slope to an access road. The blocks are placed on a trailer or in a dumptruck and transported from the site to a stockpile yard near Summit, Utah. Presently surface disturbance is less than 5 acres and will remain fairly constant. Mining will continue in the areas identified on the attached map. Care will be taken to prevent unnecessary or undue degradation to Federal lands during operations. The area will be kept clean and safe and disturbed lands will be reclaimed in an expedient manner to minimize erosion and other adverse impacts. All equipment used at the mine site is portable and self powered. There are no structures or facilities located on the mining site. All debris, refuse and any daily garbage is collected and carried back to town for proper disposal.

In order to meet market demand, operations need to proceed at a semi permanent basis. Mining will occur on an infrequent basis in order to maintain a stockpile at the warehouse in Summit Utah. Having a stockpile on hand allows us to stay off the dirt roads when they are wet. Short interruptions in the work program will occur due to shipping schedules, sales, and trimming work at the yard, bad weather and other factors. During these periods the site is left trash free and in a safe stable condition. All vehicles are equipped with fire extinguishes, buckets and shovels to use in case of fire.

The alabaster is hauled from Dry Valley to Parowan and Summit Utah using a pickup truck and trailer, and dumptruck. The operation is small scale and only involves approximately 1 dump truck trip and 1 pickup truck/trailer trip per month.

Explosive materials will be stored and used in accordance with Federal and Utah State regulations. Explosives are purchased and stored at our magazine near Summit, Utah. When needed, small quantities are brought out and used at the site. Only properly trained and permitted personnel will be allowed access to explosive materials. All Federal and State requirements will be followed.

Existing roads are graded and repaired when they wash out. Kane County has provided grading for existing access roads.

Equipment to be utilized:

- 1-Backhoe, CAT 416B
- 1-Bulldozer, CAT DH8
- 1-Gardner Denver Air Track Drill & Compressor
- 1-2 4x4 Pickups
- 1-2 16-18 foot flatbed trailer
- 1-2 Generators 5000 w Coleman
- 1 Bosch rotary hammer and steel
- 3 50-foot rolls of compressed air hose
- Assorted small hand tools, picks, bars, shovels, etc.

6. (X) **New Road(s):** Length 1620 (following existing cattle trail)____(ft), Width 10 (ave. 7 ft more than existing cattle trail) (ft)

7. () **Improved Road(s):** Describe improvements that need to be made to existing roads to access the site, including the Length _____ (ft) and Width _____ (ft) **of new disturbances.**

8. Total project surface **acreage to be disturbed:** 5_____(acres) PLEASE SPECIFY EXACT ACREAGE (this will be used to determine surety bond amount – see #VI).

9. Proposed **startup date** (month, year): Ongoing operation, revised NOI_____

10. Proposed **completion**, if known (month, year): Not known_____

IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover or within practical limits. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at:

https://fs.ogm.utah.gov/pub/MINES/Coal_Related/RecMan/Reclamation_Manual.pdf.

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*
8. *Conduct mining activities so as to minimize erosion and control sediment.*
9. *Reclaim all roads that are not part of a permanent transportation system.*
10. *Stockpile topsoil and suitable overburden prior to mining.*
11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*
12. *Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.*
13. *Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)*
14. *Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.*

V. VARIANCE REQUEST (Rule R647-3-110)

Any variance must be approved writing *in advance* by the Division

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measures to be utilized to meet the intent of the rule. Written approval from the Division will be given, if the proposed alternative methods to be used are consistent with the Act.

Are variances being requested? Yes () No (X)

Variance Requested

Item # Applicable Rule

Justification: _____

Alternate methods or measure to be utilized: _____

Attach additional page(s) if more variances are requested.

VI. SURETY (Utah Code Ann. §40-8-7(1)[c])

A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations. No surface disturbance is authorized until the surety is posted and approved in writing. The surety may be provided in the form of a certificate of deposit, a letter of credit, a surety bond, or cash. Please contact the Division for further information about submitting the surety. All mining operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).

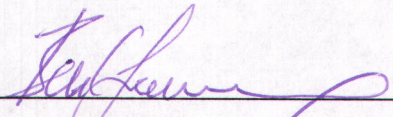
The reclamation surety amount is based on the nature, extent and duration of operations. The amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions. Reclamation surety for small mines is reviewed every three (3) or five (5) years and adjusted as necessary for inflation/deflation based upon acceptable Costs Index. **Contact the Division for the dollar amount required for a three (3) or five (5) year period for this project.**

VII. SIGNATURE REQUIREMENT

CERTIFICATION

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; **or** (4.) the member or manager if applicant is a limited liability company.

Signature:  Date: 3/28/2015_____

Name (typed or printed): Ben Lamoreaux_____

Title/Position (if applicable): LLC Member Manager_____

Alpine Gems LLC
2686 N. 775 W. #301
Cedar City, UT 84721

State Bank of Southern Utah
PO Box 340
Cedar City, UT 84721
97-0177/1243

131060

EZShieldSM Check Fraud
Protection for Business

3/24/15

PAY TO THE
ORDER OF

STATE OF UTAH DNR DOGM

\$ 150.00

one hundred fifty & 00/100

ORIGINAL CHECK
ROUTED TO ACCOUNTING

DOLLARS

MEMO

DNR PERMIT 2015 - ORANGE

[Signature]
AUTHORIZED SIGNATURE

MP

MP

⑈ 131060 ⑈ ⑈ 124301779 ⑈ 1310416 ⑈

✓ This check to be returned
done

RECEIVED
APR 01 2015
DIV. OF OIL, GAS & MINING